

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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In the Matter of the Trusteeship  
Created by LNR IV, Ltd, and  
LNR CDO IV, Corporation,  
Relating to the Issuance of Notes  
In the Original Aggregate Principal  
Amount of \$1,279,038,000

**ORDER**

Civil File No. 12-2789(MJD/JSM)

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Andrew M. Luger and Erin Sindberg Porter, Greene Espel PLLP, Brian S. Fraser, Daniel L. Stein, and Grace C. Wen, Richards Kibbe & Orbe LLP, Counsel for Morgan Stanley & Co, LLC.

Adrienne C. Baranowicz, Gary F. Eisenberg, and Keith W. Miller, Perkins Coie LLP, Malika Kanodia and Terrence J. Fleming, Lindquist & Vennum PLLP, Todd C. Pearson, Pearson Law Office, Counsel for LNR CDO IV, LLC (f/k/a LNR CDO IV Corporation), LNR Partners, LLC (f/k/a LNR Partners, Inc.), LNR Securities Holdings, LLC, LNR Securities Preferred, LLC, and Diesel Ltd.

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This matter is before the Court on LNR CDO IV, LLC (f/k/a LNR CDO IV Corporation), LNR Partners, LLC (f/k/a LNR Partners, Inc.), LNR Securities Holdings, LLC, LNR Securities Preferred, LLC, and Diesel Ltd.'s ("the LNR Parties") request to file a motion for reconsideration of this Court's Order dated April 4, 2013 denying the LNR Parties' motion to remand, granting Party In

Interest Morgan Stanley & Co., LLC's motion to transfer venue, and transferring the case to the United States District Court for the Southern District of New York.

The Local Rules for the District of Minnesota provide that a motion to reconsider can only be filed with the Court's express permission, and then, only "upon a showing of compelling circumstances." L.R. 7.1(j). The district court's decision on a motion for reconsideration rests within its discretion. Hagerman v. Yukon Energy Corp., 839 F.2d 407, 413 (8th Cir. 1988).

Motions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence . . . . Nor should a motion for reconsideration serve as the occasion to tender new legal theories for the first time.

Id. at 414 (citation omitted).

The Court has thoroughly reviewed the parties' submissions and its April 4 Order and concludes that the April 4 Order contains no manifest errors of law or fact.

Accordingly, **IT IS HEREBY ORDERED** that the LNR Parties' request to file a motion for reconsideration is **DENIED**.

Dated: May 7, 2013

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court